

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

TODDCO, INC. and TODD SANDERS)
in his official capacity as)
President of Toddco, Inc. and)
as an individual,)
)
Plaintiffs,)
)
vs.) NO. 2:04-CV-03
)
NEXTEL WEST CORP. d/b/a)
NEXTEL COMMUNICATIONS and)
CINGULAR WIRELESS, LLC,)
)
Defendants.)

NEXTEL WEST CORP. d/b/a NEXTEL)
COMMUNICATIONS,)
)
Cross-Claimant,)
)
vs.)
)
CINGULAR WIRELESS, LLC,)
)
Cross-Defendant.)

ORDER

This matter is before the Court on the Report and Recommendation of United States Magistrate Judge Pursuant to 29 U.S.C. § 636(b)(1)(B), dated April 6, 2006. The instant report and recommendation addresses Nextel's Verified Motion for Sanctions Against Cingular Wireless, LLC, and recommends that the motion be

denied. Upon due consideration of the instant report and recommendation, this Court **ADOPTS** Magistrate Judge Cherry's Report and Recommendation and **ORDERS** that Nextel's Verified Motion for Sanctions Against Cingular Wireless, LLC be **DENIED**.

DATED: April 24, 2006

/s/RUDY LOZANO, Judge
United States District Court